

DETAILED ACTION

This Office Action is responsive to the Applicant's communication filed September 7, 2011. In virtue of this communication, claims 7, 9-11, and 13-26 are now pending in the application.

Response to Arguments

1. Applicant's arguments filed September 7, 2011 have been fully considered but they are not persuasive.

The Applicant's first argument (page 2, line 25 to page 3, line 4 of the Remarks) alleges that the prior art references do not disclose "that the armature symmetrically oscillates about a center position", "that the center of the armature is aligned with the center of the yoke body in the claimed center position", or a spring which "acts to displace the armature to the center position". Zabar discloses an armature part [30-34] which symmetrically oscillates about a center position (figures 1-3; col. 3, lines 36-40 and 50-59) and which, at the center position, the armature [30-34] and yoke body [10, 20] are aligned (figures 1 and 3). A spring which "acts to displace the armature to the center position" is not recited in the claims. In fact, the spring as claimed applies a force when the armature is at the center position, which would displace the armature away from said center position.

The Applicant's second argument (page 3, line 5 to page 4, line 14 of the Remarks) alleges that the prior art references do not disclose symmetric oscillation about the center position. As stated above, Zabar does disclose this limitation. Further,

this is a functional limitation which implies no further structure and, in combination, Zabbar and Rumswinkel disclose all the structural elements recited in the claims.

The Applicant's third argument (page 4, lines 15-24 of the Remarks) alleges that the combination would result in "shifting the armature from the center position to a tensioned position". This argument does not reflect what is disclosed in Rumswinkel or what is stated in the grounds of rejection. Rumswinkel discloses an armature wherein the springs are both offset and pre-tensioned when at the center position (figures 2-3 show the axially displaced armature in its equilibrium position; at the center position, which is shifted to the left from what is shown in the figures, the springs [4] are inherently pre-tensioned as they are no longer at equilibrium).

Further, the expression used, "tensioning to the center position" is also a misinterpretation of the claimed invention. Claim 1 recites that "at the center position the spring is pre-tensioned to apply a force in the direction of movement". Thus, the pre-tensioning force of the claimed spring is acting to displace the armature away from the center position.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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3. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 7, 9-10, 13-17, 19-23, and 25-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zabar (US 6,323,568 B1) in view of Rumswinkel (DE 1146578).

With regard to claim 7, Zabar discloses a linear drive unit [2] (figures 1-3) comprising:

a yoke body [10, 20] having an exciter winding [15, 25] providing a magnetic field (col. 3, lines 12-24);

a magnetic armature part [30-34] which is set in linear motion to symmetrically oscillate about a center position in an axial direction by the magnetic field of the winding (col. 3, lines 36-40 and 50-59), the center position being the position the armature part [30-34] adopts when oscillating between its maximum lateral deflection positions (figure 3; the armature is shown with the springs un-deflected), wherein a center of the

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armature [30-34] is aligned with a center of the yoke body [10, 20] in the center position (figure 3); and

a spring [40-45] having a fixed end [42, 43] clamped in a fixed manner in a clamped position with respect to the yoke body [10, 20] and an oscillating end [41] coupled to the armature part [30-34] at a point of application and acting on the armature part [30-34] in the direction of motion (col. 4, lines 30-36);

wherein the spring [40-45] is configured as a leaf spring tensioned transverse to the direction of movement of the armature part (figures 3 and 5; col. 4, lines 21-29).

Except that Zabbar does not expressly disclose that, in the center position of the armature part, the point of application of the spring on the armature part being displaced axially by a predetermined distance in relation to the clamped position, or that when the armature part is at the center position the spring is pre-tensioned.

Rumswinkel discloses a linear drive unit (col. 1, lines 1-5 and figures 1-3) comprising a yoke body [1] having an exciter winding providing a magnetic field (see col. 1, lines 5-10), a magnetic armature part [2, 3] which is set in linear oscillating motion about a center position in an axial direction (reference [20] designates the direction of movement) by the magnetic field of the winding (col. 1, lines 10-19);

wherein, in the center position of the armature part [2, 3], the point of application [42] of the spring [4] on the armature part [2, 3] being displaced axially by a predetermined distance in relation to the clamped position [41] (figures 2-3; in its equilibrium position, the armature is displaced by distance [b]), and

wherein the spring [4] is configured as a leaf spring and, when the armature part is at the center position, the spring [4] is pre-tensioned to apply a force in the direction of movement of the armature part [2, 3] (figures 2-3 show the axially displaced armature in its equilibrium position; at the center position, which is shifted to the left from what is shown in the figures, the springs are inherently pre-tensioned as they are no longer at equilibrium).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the linear drive unit of Zabar by offsetting the armature part as taught by Rumswinkel, for improving the efficiency thereof, since Rumswinkel teaches that such a drive unit minimizes the air gap between the magnetic components (col. 1, lines 25-32).

With regard to claim 9, the combination of Zabar and Rumswinkel discloses the drive unit according to claim 7, as stated above, further comprising a plurality of springs [40-45] disposed on each side of the center position (figures 3-4; col. 3, lines 60-67 of Zabar; each spring [40] comprises two leaf springs [44, 45]).

With regard to claim 10, the combination of Zabar discloses the drive unit according to claim 7, as stated above, wherein the armature part [30] is connected to a plunger [3] of a compressor [4, 5, 6] (col. 2, line 62 through col. 3, line 3).

Except that Zabar does not expressly disclose that, in the center position of the armature part, the point of application of the spring on the armature part being displaced axially by a predetermined distance in relation to its clamping position, and the axial

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displacement of the point of application of the spring on the armature part being provided in the direction away from the compressor.

Rumswinkel discloses the drive unit according to claim 7, as stated above, where the armature part is displaced axially in relation to its clamping position (figure 3).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the linear drive unit of Zabar by offsetting the armature part away from the compressor as taught by Rumswinkel, for improving the efficiency thereof, since Rumswinkel teaches that such a drive unit minimizes the air gap between the magnetic components (see col. 1, lines 25-32).

With regard to claim 13, Zabar discloses a linear drive unit [2] (figures 1-3) comprising:

a yoke body [10, 20] having an exciter winding [15, 25] providing a magnetic field (col. 3, lines 12-24);

a magnetic armature part [30-34] which is set in linear oscillating motion about a center position in an axial direction by the magnetic field of the winding (col. 3, lines 36-40), the center position being the position the armature part [30-34] adopts when aligned with the center of the yoke body [10, 20] in which the armature [30-34] may symmetrically oscillate relative to the yoke body [10, 20] between its maximum lateral deflection positions (figure 3; col. 3, lines 36-40 and 50-59; the armature is shown with the springs un-deflected), wherein a center of the armature [30-34] is aligned with a center of the yoke body [10, 20] in the center position (figure 3); and

a spring [40-45] fixed with respect to the yoke body [10 ,20] at a clamped position [42, 43] and an oscillating end [41] coupled to the armature part [30-34] at a point of application and acting on the armature part [30-34] in a direction of motion (col. 4, lines 30-36).

Except that Zabar does not expressly disclose that, in the center position of the armature part, the point of application of the spring on the armature part being displaced axially by a predetermined distance in relation to its clamping position, or that when the armature part is at the equilibrium position the spring is pre-tensioned to apply a force in the axial direction.

Rumswinkel discloses a linear drive unit (col. 1, lines 1-5 and figures 1-3) comprising a yoke body [1] having an exciter winding providing a magnetic field (see col. 1, lines 5-10), a magnetic armature part [2, 3] which is set in linear oscillating motion about a center position in an axial direction (reference [20] designates the direction of movement) by the magnetic field of the winding (col. 1, lines 10-19);

wherein, when the armature part [2, 3] is in the center position, the point of application [42] of the spring [4] on the armature part [2, 3] being displaced axially by a predetermined distance in relation to the clamped position [41] (figures 2-3; in its equilibrium position, the armature is displaced by distance [b]; at the center position, which is shifted to the left from what is shown in the figures, the point of application [42] and clamped position [41] are still displaced from one another as the figures clearly

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show the displacement between yoke and armature being significantly less than the distance “b”), and

wherein, when the armature part is at the center position, the spring is pre-tensioned (figure 3 shows the axially displaced armature in its equilibrium position; at the center position, which is shifted to the left from what is shown in the figures, the springs are inherently pre-tensioned as they are no longer at equilibrium).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the linear drive unit of Zabar by offsetting the armature part as taught by Rumswinkel, for improving the efficiency thereof, since Rumswinkel teaches that such a drive unit minimizes the air gap between the magnetic components (col. 1, lines 25-32).

With regard to claim 14, the combination of Zabar and Rumswinkel discloses the drive unit according to claim 13, as stated above, wherein the spring [40-45] is configured as a spring tensioned transverse to the direction of movement of the armature part (figures 3 and 5; col. 4, lines 21-29 of Zabar).

With regard to claim 15, the combination of Zabar and Rumswinkel discloses the drive unit according to claim 14, as stated above, wherein the spring [40-45] comprises a leaf spring (figures 3 and 5; col. 4, lines 21-29 of Zabar).

With regard to claim 16, the combination of Zabar and Rumswinkel discloses the drive unit according to claim 13, as stated above, further comprising a plurality of

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springs [40-45] disposed on each side of the center position (figures 3-4; col. 3, lines 60-67 of Zabar; each spring [40] comprises two leaf springs [44, 45]).

With regard to claim 17, Zabar discloses the drive unit according to claim 13, as stated above, wherein the armature part [30] is connected to a plunger [3] of a compressor [4, 5, 6] (col. 2, line 62 through col. 3, line 3).

Except that Zabar does not expressly disclose that, in the center position of the armature part, the point of application of the spring on the armature part being displaced axially by a predetermined distance in relation to its clamping position, and the axial displacement of the point of application of the spring on the armature part being provided in the direction away from the compressor.

Rumswinkel discloses the drive unit according to claim 7, as stated above, where the armature part is displaced axially in relation to its clamping position (figure 3).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the linear drive unit of Zabar by offsetting the armature part away from the compressor as taught by Rumswinkel, for improving the efficiency thereof, since Rumswinkel teaches that such a drive unit minimizes the air gap between the magnetic components (see col. 1, lines 25-32).

With regard to claim 19, the combination of Zabar and Rumswinkel discloses the drive unit according to claim 13, as stated above, wherein the armature part [30-34] includes two magnets [31-34] arranged symmetrically on each side of the yoke body [10, 20] in the center position (figure 3; col. 3, lines 36-40 of Zabar).

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With regard to claim 20, Zabar discloses a linear drive unit [2] (figures 1-3) comprising:

a yoke body [10, 20] having an exciter winding [15, 25] providing a magnetic field (col. 3, lines 12-24);

a magnetic armature part [30-34] which is set in linear oscillating motion about a center position in an axial direction by the magnetic field of the winding (col. 3, lines 36-40), the center position being the position where the center of the armature [30-34] is aligned with the center of the yoke body [10, 20] and/or windings [15, 25] thereof (figure 3; the armature is shown with the springs un-deflected), the center position being an equidistant point between two maximum lateral deflections of the magnetic armature [30-34] when oscillating (figure 3; col. 3, lines 36-40 and 50-59); and

a spring [40-45] having a fixed end [42, 43] clamped in a fixed manner at a clamped position with respect to the yoke body [10, 20] and an oscillating end [41] coupled to the armature part [30-34] at a point of application and acting on the armature part [30-34] in the direction of motion (col. 4, lines 30-36);

wherein the spring [40-45] is configured to be tensioned to apply a force in an axial direction along movement of the armature part (figures 3 and 5; col. 4, lines 21-29 of Zabar).

Except that Zabar does not expressly disclose that, when the armature part is at the center position, the point of application of the spring on the armature part is displaced axially by a predetermined distance in relation to the clamped position of the

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spring, or that when the armature part is at the equilibrium position the spring is pre-tensioned.

Rumswinkel discloses a linear drive unit (col. 1, lines 1-5 and figures 1-3) comprising a yoke body [1] having an exciter winding providing a magnetic field (see col. 1, lines 5-10), a magnetic armature part [2, 3] which is set in linear oscillating motion about a center position in an axial direction (reference [20] designates the direction of movement) by the magnetic field of the winding (col. 1, lines 10-19);

wherein, in the center position of the armature part [2, 3], the point of application [42] of the spring [4] on the armature part [2, 3] being displaced axially by a predetermined distance in relation to its clamping position [41] (figures 2-3; in its equilibrium position, the armature is displaced by distance [b]).

wherein, when the armature part is at the center position, the spring is pre-tensioned to apply a force in an axial direction along movement of the armature part [2, 3] when the armature part [2, 3] is at the center position (figure 3 shows the axially displaced armature in its equilibrium position; at the center position, which is shifted to the left from what is shown in the figures, the springs are inherently pre-tensioned as they are no longer at equilibrium).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the linear drive unit of Zabar by offsetting the armature part as taught by Rumswinkel, for improving the efficiency thereof, since Rumswinkel teaches that such a drive unit minimizes the air gap between the magnetic components (col. 1, lines 25-32).

With regard to claim 21, the combination of Zabar and Rumswinkel discloses the drive unit according to claim 20, as stated above, wherein the spring [40-45] comprises a leaf spring (figures 3 and 5; col. 4, lines 21-29 of Zabar).

With regard to claim 22, the combination of Zabar and Rumswinkel discloses the drive unit according to claim 20, as stated above, further comprising a plurality of springs [40-45] disposed on each side of the center position (figures 3-4; col. 3, lines 60-67 of Zabar; each spring [40] comprises two leaf springs [44, 45]).

With regard to claim 23, the combination of Zabar and Rumswinkel discloses the drive unit according to claim 20, as stated above, wherein the armature part [30] is connected to a plunger [3] of a compressor [4, 5, 6] (col. 2, line 62 through col. 3, line 3 of Zabar).

Except that Zabar does not expressly disclose that, in the center position of the armature part, the point of application of the spring on the armature part being displaced axially by a predetermined distance in relation to its clamping position, and the axial displacement of the point of application of the spring on the armature part being provided in the direction away from the compressor.

Rumswinkel discloses the drive unit according to claim 7, as stated above, where the armature part is displaced axially in relation to its clamping position.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the linear drive unit of Zabar by offsetting the armature part away from the compressor as taught by Rumswinkel, for improving the

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efficiency thereof, since Rumswinkel teaches that such a drive unit minimizes the air gap between the magnetic components (see col. 1, lines 25-32).

With regard to claim 25, the combination of Zabar and Rumswinkel discloses the drive unit according to claim 20, as stated above, wherein the armature part [30-34] includes two magnets [31-34] arranged symmetrically on each side of the yoke body [10, 20] in the center position (figure 3; col. 3, lines 36-40 of Zabar).

With regard to claim 26, the combination of Zabar and Rumswinkel discloses the drive unit according to claim 7, as stated above, wherein the armature part [30-34] includes two magnets [31-34] arranged symmetrically on each side of the yoke body [10, 20] in the center position (figure 3; col. 3, lines 36-40 of Zabar).

5. Claims 11, 18, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zabar and Rumswinkel as applied to claims 7, 13, and 20, respectively, above, and further in view of Howe (US 3,678,308).

With regard to claim 11, the combination of Zabar, Rumswinkel discloses the drive unit according to claim 7, as stated above, except that the combination does not expressly disclose that the spring [40-45] has a spring constant selected such that the characteristic frequency of the drive unit in cooperation with the total oscillating mass is lower than the frequency of the driving force.

Howe discloses a drive unit (figure 2) having a spring [52] whose spring constant is selected such that the characteristic frequency of the drive unit in cooperation with the total oscillating mass is lower than the frequency of the driving force (col. 1, lines 37-42;

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the driving force frequency, the "square wave", is twice that of the drive unit, the "scan frequency of the element").

It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the drive unit of Zabar by selecting the spring constant as taught by Howe, for determining the oscillation speed thereof, since Howe teaches that proper coordination of the spring with the natural frequency of the device prevents irregular movement when the device moves too quickly or slowly (col. 1, lines 25-36).

With regard to claim 18, the combination of Zabar and Rumswinkel discloses the drive unit according to claim 13, as stated above, except that the combination does not expressly disclose that the spring [40-45] has a spring constant selected such that the characteristic frequency of the drive unit in cooperation with the total oscillating mass is lower than the frequency of the driving force.

Howe discloses a drive unit (figure 2) having a spring [52] whose spring constant is selected such that the characteristic frequency of the drive unit in cooperation with the total oscillating mass is lower than the frequency of the driving force (col. 1, lines 37-42; the driving force frequency, the "square wave", is twice that of the drive unit, the "scan frequency of the element").

It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the drive unit of Zabar by selecting the spring constant as taught by Howe, for determining the oscillation speed thereof, since Howe teaches that proper coordination of the spring with the natural frequency of the device

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prevents irregular movement when the device moves too quickly or slowly (col. 1, lines 25-36).

With regard to claim 24, the combination of Zabar and Rumswinkel discloses the drive unit according to claim 20, as stated above, except that the combination does not expressly disclose that the spring [40-45] has a spring constant selected such that the characteristic frequency of the drive unit in cooperation with the total oscillating mass is lower than the frequency of the driving force.

Howe discloses a drive unit (figure 2) having a spring [52] whose spring constant is selected such that the characteristic frequency of the drive unit in cooperation with the total oscillating mass is lower than the frequency of the driving force (col. 1, lines 37-42; the driving force frequency, the "square wave", is twice that of the drive unit, the "scan frequency of the element").

It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the drive unit of Zabar by selecting the spring constant as taught by Howe, for determining the oscillation speed thereof, since Howe teaches that proper coordination of the spring with the natural frequency of the device prevents irregular movement when the device moves too quickly or slowly (col. 1, lines 25-36).

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Inquiry

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Andrews whose telephone number is (571)270-7554. The examiner can normally be reached on Monday through Thursday between the hours of 8:30 and 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Quyen Leung can be reached at (571)272-8188. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic

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Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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